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Chambers of Vincent L. Briccetti

5/19/23
V.L.B.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WOODMONT RAMAPO, LLC,
Plaintiff,

v.

ANTHONY PARKS,
Defendant.

ORDER

23 CV 594 (VB)

5/19/23

On January 23, 2023, defendant, proceeding pro se and in forma pauperis, removed this action from Justice Court, Town of Ramapo. (Doc. #1).

On March 17, 2023, plaintiff moved to remand this action to state court. (Doc. #5).

On May 11, 2023, the Court issued an Order sua sponte extending (i) defendant's deadline to respond to the motion to June 5, 2023, and (ii) plaintiff's deadline to file a reply, if any, to June 20, 2023. (Doc. #19).

Upon further review of plaintiff's affirmation of service of the motion (Doc. #5-1), and affirmation of service of a proposed order in support (Doc. #17), the Court determined that plaintiff has been serving defendant by mailing filings to him at the following address: 717 Woodmont Lane, Sloatsburg, NY 10974. (Docs. ##5-1, 17). However, defendant's address on the docket is 130 W. Pleasant Ave., #327, Maywood, NJ 07607.

Accordingly, by May 23, 2023, plaintiff is directed to (i) re-serve all previously served papers on defendant at the proper address, as indicated on the docket, and (ii) file proof of service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppededge v. United States, 369 U.S. 438, 444-45 (1962).

Chambers will mail a copy of this Order to defendant at the address listed on the docket.

Dated: May 19, 2023
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge